

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53332 of 2025

Arising Out of PS. Case No.-81 Year-2020 Thana- MASAUDHI District- Patna

Kamlesh Yadav S/o Late Chanarik Yadav @ late Chandrika Prasad, Resident of Village- Badroi, P.S- Lahsuna, Masaurhi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No.1467 of 2020 arising out of Masaurhi P.S. Case No.81 of 2020 instituted under Section 30(a), 30(d) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 205 liter country made liquor alongwith two motorcycles, six gas cylinder and other utensils used for making the liquor was recovered near the bank of paian in village Badroi. The allegation against the petitioner is that he alongwith other co-accused persons fled away from the spot and were involved in manufacturing, selling and transportation of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that no incriminating article has been



recovered from the conscious possession of the petitioner and he has no concern with the seized motorcycle or the liquor. Learned counsel submits that petitioner was not present at the place of occurrence and only on the basis of suspicion he has been implicated in this case. He further submits that the petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-III, Patna in connection with Special Case No.1467 of 2020 arising out of Masaurhi P.S. Case No.81 of 2020, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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